

## DELTA PROTECTION COMMISSION

14215 RIVER ROAD  
P.O. BOX 530  
WALNUT GROVE, CA 95690  
PHONE: (916) 776-2290  
FAX: (916) 776-2293

November 8, 1996



To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Briefing and Consideration of Position on Hunting on East Bay Regional Park District Water-Covered Lands in Big Break, Contra Costa County

Background:

As the Commission was drafting the Land Use and Regional Management Plan for the Primary Zone of the Delta, East Bay Regional Park District (EBRPD) staff was invited to brief the Commission on its recreation planning and facilities development programs in eastern Contra Costa County. EBRPD had recently expanded its boundaries to include East County areas.

EBRPD currently owns and manages a fishing pier and picnic area near the Antioch Bridge (Antioch Shoreline) and manages Brown's Island, owned by State Lands Commission, which is available for fishing, but has no developed facilities.

In addition, EBRPD had developed (May 1993) a Conceptual Site Plan for "Delta Shoreline: Big Break/Jersey Island Vicinity" which includes: a shoreline trail between the fishing pier and Marsh Creek Trail which travels north-south along Marsh Creek; a staging area with picnic facilities and interpretive loop trail; a beach area; a fishing pier; and a future interpretive facility (see attached map).

On March 24, 1994, Ron Russo briefed the Commission on the Delta Environmental Science Center, proposed as a joint recreation/education project proposed on Ironhouse Sanitary District Lands near Marsh Creek (see attached excerpt from minutes).

### Hunting Issue:

At the March, 1994 meeting, Commissioner Calone inquired about the future status of hunting in the Big Break area.

In response to Commissioner Calone's question and other issues raised, the Commission received a letter dated April 7, 1994, from Pat O'Brien, General Manager of EBRPD (see attached letter). That letter indicates duck hunting will continue in Big Break unless it becomes a public safety hazard to inboard park users.

### Recent Actions:

In October, 1995, EBRPD acquired the Porter Estate Company Oakley Ranch, Inc. property--980 acres of open water area, marsh area, and about two acres of upland (see attached map). No plans have been prepared for any development for public access to or along the shoreline.

In October, 1996, signs were posted by EBRPD Public Safety officers stating that hunting is prohibited on EBRPD property (see attached copy of notice).

There were numerous phone calls to EBRPD from duck hunters that have maintained duck hunting blinds on the Porter property for many years complaining about the change in policy and the short notice, only two day before the start of duck hunting season.

EBRPD revised its earlier position to prohibit all duck hunting on EBRPD lands, and have agreed to allow hunting to continue this hunting season from blinds in the water-covered areas. Blinds accessible from the shoreline have been removed; only blinds accessible by boat are in use.

### Staff Recommendation:

If the Commission wishes to pursue this matter, staff recommends directing staff to send a letter to EBRPD, expressing support for continuation of seasonal duck hunting from the water-covered areas of Big Break.

The letter should stress the historic use of the area for duck hunting, the limited areas available for duck hunting if one is not a member of a private duck hunting club, the fact that similar duck hunting activities are carried out on State-owned lands--Frank's Tract--

with no apparent problems. On Frank's Tract, managed by Brannan Island State Park staff, permits are required to moor a floating blind during hunting season, but no fees are charged.

Any Commissioners that are interested in this matter could also contact EBRPD to urge adoption of such a modified position.

Additional information has been requested from Department of Fish and Game and State Lands Commission; new information will be presented at the Commission meeting.



Political Reform Act Commissioners and staff have 30 days to file an Initial Statement of Economic Interest form. Each Commissioner received a packet of relevant forms with instructions, and it was emphasized that Commissioners had a deadline of March 31, 1994 to file completed forms with the FPPC, and to also send a copy to the Commission office.

## **5. Executive Director's Report.**

### **Ms Aramburu announced:**

a. The physical address to the Commission office in Walnut Grove has been changed to 14215 River Road.

b. A schedule for the remaining 1994 Commission meetings was included in the packets.

c. Schedule changes for the CAC meetings include the Recreation CAC meeting on March 29 has been rescheduled to April 5.

d. For a second time the Budget Hearing before the Ways and Means Subcommittee had been cancelled. No new date has been given.

e. The Commission received a certificate of appreciation from Ducks Unlimited. A copy of the letter summarizing DU activities in the Delta this past season was included in the packets.

f. Since the February meeting, staff has attended: the dedication of the Consumnes Preserve Visitors Center; the Advisory Group of the San Joaquin County COG Habitat Management Plan; the Highway 12 Committee at which she made a brief presentation on the Commission and its activities; a meeting of SB 34 Advisory Committee-agencies and consultants and land managers concerned with the regulatory process for levee permits.

There have been no Subcommittee meetings, subsequently no reports. However, there will be a meeting of the Budget and Finance Subcommittee on Tuesday, March 29 to discuss the budget and work program for FY 94-95.

**6. Briefing on Delta Environmental Science Center, a joint effort of Contra Costa County, Contra Costa County Community College District, East Bay Regional Park District and Ironhouse Sanitary District, to be located east of Antioch and north of Oakley in the secondary zone of the Delta in Contra Costa County. Speaker: Ron Russo, East Bay Regional Park District. (Originally scheduled for November 1993 meeting.)**

Chairman Torlakson introduced Ron Russo with the East Bay Regional Park District (EBRPD), a co-sponsor of the project. Mr. Russo presented a slide show. He said EBRPD is proposing to acquire parts of the shoreline of Big Break. The proposed environmental education center would be nearby, on lands owned by the Ironhouse Sanitary District on Jersey Island. The Center would be located on uplands, near the wetland and open water areas which would serve as living laboratories for the educational programs. The goal is to serve all ages, from primary grades through junior college. The center would also include a visitor center, fronting on a very unique natural resource. The project will bring a great deal of national attention to Delta.

He stressed the need to have many groups working cooperatively together to make the environmental science center happen. Investment in the future that will stimulate a much greater consciousness in the public about the Delta.

Commissioner Calone asked if the Big Break area would continue to be open to fisherman, boaters and duck hunters Mr. Russo said at this time the park has no intention of closing Big Break. He added that Fish and Game has strong concerns about the fishing and hunting activities that go on at Big Break, there has been some illegal poaching. Mr. Russo suggested that Commissioner Calone communicate with the Board of Directors as they are the ones who set the policy.

Chairman Torlakson said he would be glad to meet with Commissioner Calone and park officials to discuss the issues. Chairman Torlakson did say that the Science Center is a separate issue from that of the Big Break purchase.

7. **Staff Briefing and Public Hearing on Background Report on Agriculture.** The background report, fifth to be considered by the Commission describes the current types of crops and value of crops grown in the Delta Counties; future trends in the Delta agriculture; special issues associated with Delta agriculture; and land use tools available to promote and protect agriculture. The report includes proposed findings and policies for the Commission to consider. The Commission will accept public comments and give staff directions.

Ms Aramburu said that the Agriculture report is the fifth of eight reports that have been received by the Commission. She thanked Colleen McMahon for the research work she completed on the report. She also thanked Department of Water Resources for the maps and report on Land Use Patterns, which were used in preparation of the report.

# REGIONAL PARKS

## EAST BAY REGIONAL PARK DISTRICT

April 7, 1994

Delta Protection Commission  
14219 River Road  
P.O. Box 530  
Walnut Grove, CA 95690

#### BOARD OF DIRECTORS

Jocelyn Combs, *President*  
Ted Radke, *Vice President*  
Oliver Holmes, *Treasurer*  
Susan Smartt, *Secretary*  
John O'Donnell  
Douglas Siden  
Jean Siri

Pat O'Brien  
*General Manager*

Dear Commissioners:

At the March 24 Commission Meeting, Commissioner Calone raised a number of issues regarding the Park District's policies and practices. Because the District values its working relationships with organizations such as yours and the public, I want to make sure that the public record is correct.

PARK ACCESSIBILITY: Currently the District has 76,250 acres open to public use and enjoyment. Approximately 8,500 additional acres are in "land bank" status and temporarily closed to public use until boundary fencing, cleanup, and/or staging facilities are completed.

BOATING AND FISHING: The District currently operates over 1,125 acres of lake habitat where boating and fishing are important uses with an additional 147 acres where fishing only occurs. In addition, the District has 21.2 miles of public shoreline, where fishing and boating are favored activities. The District does not exclude boating or fishing from any lake or shoreline unit under its management.

HUNTING: Hunting is not allowed under the District's Ordinance 38 on any of its properties because of resource management mandates established by Board policy and the inherent danger presented to other passive recreation users. Hunting is also not allowed in State or National Parks. Regarding long standing duck hunting offshore of Pt. Pinole Regional Shoreline and within the boundaries of the future Big Break Regional Shoreline, because the submerged properties are under the jurisdiction of the State Lands Commission, duck hunting will continue unless it becomes a public safety hazard to inboard park users.

SPECIAL PROTECTION UNITS: The District is charged with the responsibility of protecting 132 plants and animals that are "listed" species at the federal or state level. In addition, the District also protects 27 known archaeological sites and 111 historical sites. These unique features are among the many resource qualities that attract people to using Regional Parks. Perpetuating these features for all generations is central to our mission, which is supported by the vast majority of public that communicates with the Board and staff.

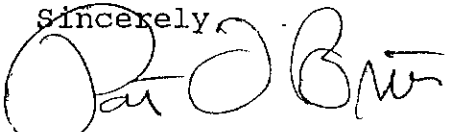


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The District has a strong commitment to balancing appropriate public use with conserving its resources. Our system has many levels of public involvement in the formulation of the master plan, Board policy, and operations practices. We believe we operate with the best interests of the vast majority in mind. The public's feedback and involvement is crucial to the District's success as a provider of outdoor experiences.

We appreciate your continued confidence and support and assure you that we will continue working to the greater good of public use.

Sincerely,

A handwritten signature in black ink, appearing to read "Pat O'Brien", written over the word "Sincerely,".

Pat O'Brien  
General Manager

POB/dm



14 MAY 1993

## ADVANCE PLANNING AND ACQUISITION

CEIWA -  
FUTURE FACILITIES  
and OPEN SPACE.

PORTER  
A PROPERTY

AREA OF INTEREST-  
FUTURE EBRPD  
RECREATION/ACCESS/  
MANAGEMENT

**SITE OF PROPOSED  
FUTURE INTERPRETIVE  
FACILITY**

061WMA-  
IRON HOUSE SAN. DIST.

7-192-12  
ARTNERSHIP  
11-1-192-12

CONCO

LAND  
COMPANY  
37-192-13



# DELTA SHORELINE BIG BREAK / JERSEY ISLAND VICINITY



# WARNING !

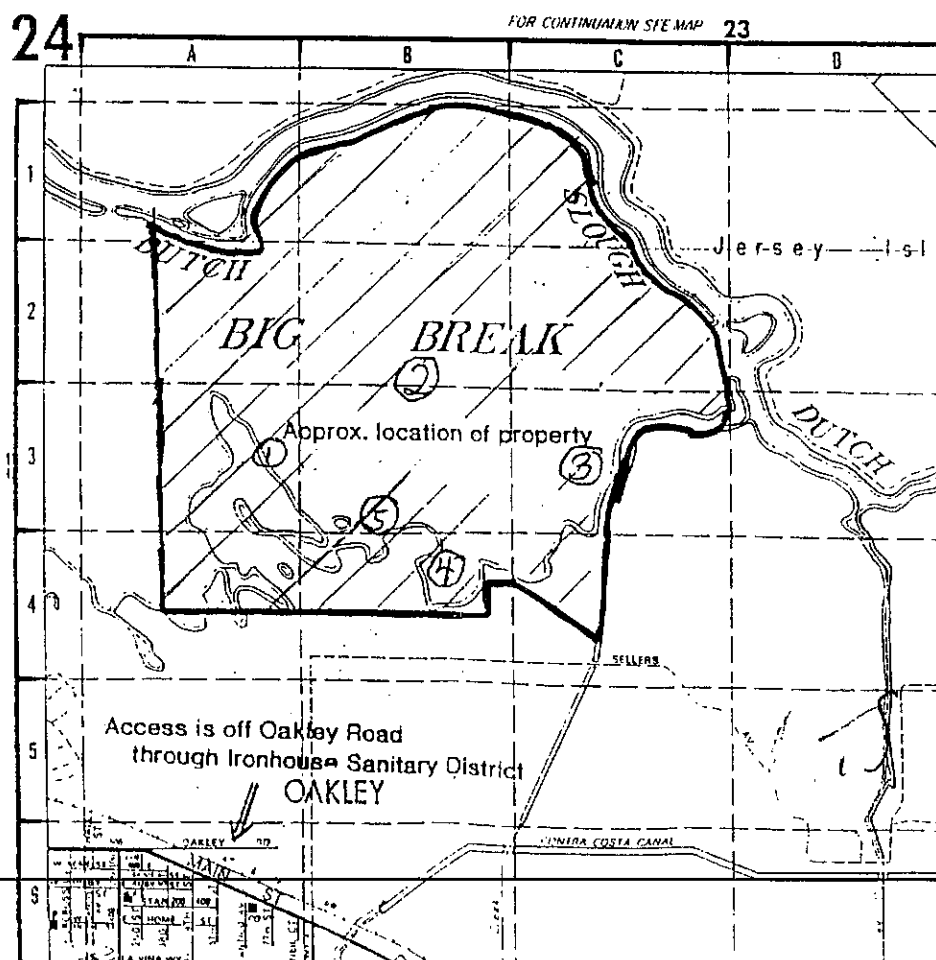


## HUNTING PROHIBITED

SINCE OCTOBER, 1995  
THE AREA ON THE MAP BELOW  
HAS BEEN PART OF THE

EAST BAY REGIONAL PARK DISTRICT  
PARK ORDINANCE 38-800.1 PROHIBITS HUNTING ON  
REGIONAL PARKS PROPERTY.

VIOLATORS ARE SUBJECT  
TO CITATION



CHUCK  
PAHL  
625-8610